

AMENDED IN ASSEMBLY JUNE 20, 2007

AMENDED IN SENATE APRIL 23, 2007

SENATE BILL

No. 599

Introduced by Senator Negrete McLeod

(Coauthors: Senators Cedillo, Correa, Ducheny, Romero, and Wyland)

(Coauthors: Assembly Members Beall, Carter, Cook, DeVore, Salas, Saldana, and Wolk)

February 22, 2007

An act to amend Sections 1330, 1331, 1332, 1333, 1334, 1335, 1338, and 1340 of, and to add Section 1341 to, the Military and Veterans Code, and to repeal Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans memorials.

LEGISLATIVE COUNSEL'S DIGEST

SB 599, as amended, Negrete McLeod. California Mexican American Veterans' Memorial Beautification and Enhancement Committee.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Commission and provides for its composition and duties. Existing law authorizes the beautification and enhancement of an existing memorial on state grounds, as defined, and authorizes the commission to, among other things, establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services.

This bill would delete the provisions establishing the California Mexican American Veterans' Memorial Beautification and Enhancement

Commission, and would instead require the Secretary of Veterans Affairs to establish a California Mexican American Veterans' Memorial Beautification and Enhancement Committee, as specified. This bill would authorize the committee to, among other things, establish a schedule for the design, construction, and dedication of the memorial; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services and the Secretary of Veterans Affairs.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Account, a continuously appropriated account, in the General Fund. Existing law authorizes taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. Existing law also authorizes the commission to receive contributions, for the beautification and enhancement of the memorial, which are to be deposited in the account. Funds in the account are to be appropriated to the commission for purposes of beautification and enhancement of the memorial and for reimbursement of the Controller and the Franchise Tax Board for related costs.

This bill would repeal the provisions authorizing taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. This bill would instead authorize the Department of Veterans Affairs to receive those contributions for the beautification and enhancement of the memorial, which are, under existing law, required to be deposited in the account, and appropriated to the department, along with existing funds collected through the auspices of the California Mexican American Veterans' Memorial Beautification and Enhancement Committee *Commission*, for purposes of beautification and enhancement of the memorial.

Existing law prohibits the commission from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

This bill would delete the provision prohibiting the committee from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

Existing law requires the commission to notify the Governor and the Franchise Tax Board when the beautification and enhancement of the memorial is complete.

This bill would instead require the committee to notify the Governor and the Secretary of Veterans Affairs when the beautification and enhancement of the memorial is complete.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1330 of the Military and Veterans Code
2 is amended to read:

3 1330. (a) The Secretary of Veterans Affairs shall establish a
4 California Mexican American Veterans' Memorial Beautification
5 and Enhancement Committee composed of seven members as
6 follows:

- 7 (1) Five members appointed by the Governor.
- 8 (2) One member appointed by the President pro Tempore of the
9 Senate.
- 10 (3) One member appointed by the Speaker of the Assembly.

11 (b) The secretary shall appoint one member from the committee
12 to serve as chairperson.

13 SEC. 2. Section 1331 of the Military and Veterans Code is
14 amended to read:

15 1331. Members of the committee shall ~~receive no~~ *not receive*
16 *any* compensation.

17 SEC. 3. Section 1332 of the Military and Veterans Code is
18 amended to read:

19 1332. The committee may request staff support and facilities
20 for its activities from the Department of Veterans Affairs, and the
21 department may provide that support and be reimbursed for the
22 cost of this support.

23 SEC. 4. Section 1333 of the Military and Veterans Code is
24 amended to read:

25 1333. The committee shall be responsible for carrying out the
26 purposes of this chapter.

27 SEC. 5. Section 1334 of the Military and Veterans Code is
28 amended to read:

29 1334. (a) The beautification and enhancement of an existing
30 memorial on state grounds is hereby authorized. For the purposes
31 of this act, "state grounds" means that property in the City of
32 Sacramento bounded by "Ninth," "Tenth," "L," and "N" Streets.

1 The actual site for the beautification and enhancement of the
2 memorial shall be the site of the existing memorial and surrounding
3 ground.

4 (b) Funds for the beautification and enhancement of the
5 memorial shall be provided through private contributions and
6 through existing funds collected under the auspices of the
7 California Mexican American Veterans' Memorial Beautification
8 and Enhancement Commission. The Department of Veterans
9 Affairs may receive contributions for this purpose.

10 SEC. 6. Section 1335 of the Military and Veterans Code is
11 amended to read:

12 1335. With respect to the design and construction of an
13 enhanced memorial, the committee may do all of the following:

14 (a) Establish a schedule for the design, construction, and
15 dedication of the enhanced memorial.

16 (b) Implement procedures to solicit designs for beautifying and
17 enhancing the memorial and devise a selection process for the
18 choice of the design.

19 (c) Select individuals or organizations to provide fundraising
20 services and to construct the enhanced memorial.

21 (d) Review and monitor the design and construction of the
22 memorial and establish a program for the rededication of the
23 memorial.

24 (e) Consult with the Department of General Services to
25 determine parameters for the final size of the memorial.

26 (f) Consult with and obtain final design and site orientation
27 approval from the Department of General Services and the
28 Secretary of Veterans Affairs.

29 SEC. 7. Section 1338 of the Military and Veterans Code is
30 amended to read:

31 1338. The committee shall notify the Governor and the
32 Secretary of Veterans Affairs when beautification and enhancement
33 of the memorial pursuant to this chapter is complete. This chapter
34 shall remain in effect only until, and shall be repealed on, January
35 1 of the year following that notification, unless a later enacted
36 statute, which is enacted before that date, deletes or extends that
37 date.

38 SEC. 8. Section 1340 of the Military and Veterans Code is
39 amended to read:

1 1340. The California Mexican American Veterans' Memorial
2 Beautification and Enhancement Account is hereby created in the
3 General Fund. All funds received by the Department of Veterans
4 Affairs under Chapter 7 (commencing with Section 1330) shall be
5 deposited in the account for the design and construction of the
6 California Mexican American Veterans' Memorial as specified in
7 Section 1341.

8 SEC. 9. Section 1341 is added to the Military and Veterans
9 Code, to read:

10 1341. (a) Notwithstanding Section 13340 of the Government
11 Code, all funds deposited in the California Mexican American
12 Veterans' Memorial Beautification and Enhancement Account
13 established pursuant to Section 1340 are hereby continuously
14 appropriated, without regard to fiscal year, to the Department of
15 Veterans Affairs for the beautification and enhancement of an
16 existing memorial and surrounding grounds at the State Capitol
17 pursuant to Chapter 7 (commencing with Section 1330).

18 (b) On July 1, 2014, any moneys remaining in the California
19 Mexican American Veterans' Memorial Beautification and
20 Enhancement Account shall revert to the General Fund.

21 SEC. 10. Article 11 (commencing with Section 18821) of
22 Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation
23 Code is repealed.